



January 31, 2026

VIA EMAIL

The Honorable Chris Wright
Secretary of Energy
United States Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000
Attn: *AskCR@hq.doe.gov*

Re: Request for Emergency Order Under Section 202(c) of the Federal Power Act

Dear Secretary Wright:

Pursuant to Section 202(c) of the Federal Power Act (“FPA”) and the regulations promulgated thereunder by the Department of Energy (“Department” or “DOE”), the Orlando Utilities Commission (OUC) respectfully request that the Secretary of Energy (“Secretary”) find that an emergency exists within OUC’s service area that requires intervention by the Secretary, in the form of a Section 202(c) emergency order, to preserve the reliability of the bulk electric power system. As described in the Secretary’s January 22, 2026 letter, “Leveraging Backup Generation Facilities During Energy Emergencies,” OUC respectfully requests that the Secretary issue an order immediately, effective January 31, 2026, authorizing certain backup generating units located within OUC’s service areas to operate up to their maximum generation output levels under the limited circumstances described below, notwithstanding air emissions or other permit limitations. OUC further requests that the order remain effective through 10:00 a.m. Eastern Standard Time (EST) on February 6, 2026. OUC is requesting the Department issue an order for this duration with this limiting condition because OUC anticipates unusually high load forecasts during this time due to extreme cold weather conditions for all of the State of Florida during this period.

I. Background

On Friday, January 23 and continuing into Monday, January 26, 2026, a significant winter weather event known as Winter Storm Fern brought heavy snow, sleet, and freezing rain, as well as dangerously cold temperatures and wind chills to multiple states, ranging from the southern plains to the eastern United States. As the storm drifted across the East Coast, more Arctic air moved in behind the storm, prolonging the bitter cold, icy conditions for several days. To date, Winter Storm Fern has caused or threatens to cause severe and widespread impacts across multiple regions of the United States, including extreme cold temperatures, freezing precipitation, high winds,

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disruptions to electric generation and transmission systems, natural gas supply constraints, and increased demand for electric and water services. On January 31, and February 1, 2026, and the following week, another round of extreme cold is forecasted to impact the southeast, including Peninsular Florida and South Florida and the entirety of OUC's service territory. As such, customer demand is projected to exceed record-breaking thresholds for OUC on Sunday, February 1, 2026, and again on Monday, February 2, 2026, and which may continue throughout the following week.

While the vast majority of generating units available to cover the load in OUC's service territory continue to function adequately under these stressed conditions, some units will be limited in providing the generation needed by the system conditions and limitations in their environmental permits. As a result, OUC is concerned that under these conditions the system may not have sufficient generation available to meet this unusually high demand and may be forced to curtail load in order to maintain security and reliability of the grid.

OUC has identified several non-essential commercial and industrial customers as well as city and county-owned wastewater and water facilities that have back-up generation that is available and subject to deployment to help reduce demand and potentially avoid the need for any firm load shedding that may be required during this extreme cold weather event.

Subject to the exceptions requested herein, OUC commits to continuing to take such actions, including utilizing other supply resources, before operating any units or calling on any generator to operate any units in a manner that will result in a conflict with a requirement of any federal, state, or local environmental statute or regulation, including requirements in permits issued pursuant to such laws or regulations. Even with the requested order, however, it is possible that OUC will have no choice but to curtail firm load to ensure system reliability.

II. Relief Requested

In an effort to further reduce load, non-essential customer-owned or operated backup generation facilities, as well as city and county-owned wastewater and water facilities, within the OUC's service areas may be available to disconnect from the grid and operate during this emergency (the "Specified Resources"). However, these units may be limited in their power output due to emissions and other limits established by federal and state environmental and other laws and permits. Specifically, the operation of the Specified Resources could result in emissions of NO_x, carbon monoxide, and volatile organic compounds exceeding regulatory limits when operated continuously in support of the cold weather emergency. These exceedances could be the result of combustion concerns or supply issues for materials such as Diesel Emission Fluid (DEF) which helps to minimize emissions. Additionally, the units could exceed run hour limitations in their permits or as described in applicable regulations, causing such units to be placed in a category of greater regulatory scrutiny and control, due to extended run times to meet the needs of the electric grid during this cold weather emergency. Extended run periods could also cause a unit to exceed a specified maintenance interval while operating in support of this emergency.

Because the output from the units subject to these restrictions and regulatory treatment could help to reduce electric demand and potentially avoid the need for any firm load shedding that may be required during this extreme cold weather emergency, OUC seeks an immediate order from the Department authorizing the operation of the Specified Resources regardless of emissions or other permit limitations and excluding these run time hours for the emergency from compliance limits and other regulatory consideration. This relief would be available only under the following limited circumstances:

- For any unit that is unable, or expected to be unable, to produce at its maximum output in compliance with environmental statute, regulation, or permit for the duration of the order, the unit will be allowed to operate at maximum output regardless only during any period for which EEA Level 2 or Level 3 is in effect in the impacted OUC service areas, except as described in the bullet below in certain limited circumstances in anticipation of an EEA Level 2 or above. Once it is declared that the EEA Level 2 (or above) event has ended, the units would be required to immediately return to operation within their permitted limits, except for the limited exceptions provided herein for operation in anticipation of an EEA Level to prevent the cycling of units. At all other times, the units would be required to operate within their permitted limits.
- Exception: OUC seeks authority for the Specified Resources to operate in certain limited circumstances in advance of a declared EEA Level 2, or in between such events, where such operation or continued operation of the Specified Resource is reasonably necessary to avoid shutting down and restarting the Specified Resource, because such cycling of units can cause reliability issues regarding restarting, delays, and increased emissions during start up.
- To minimize adverse environmental impacts as set forth herein, this request for an order limits operation of the Specified Resources to the times and within the parameters identified in this request and as determined by OUC or the statewide security coordinator, as necessary for grid reliability to avoid adverse health and safety impacts to customers from shedding firm customer load. Consistent with good utility practices, OUC shall exhaust all reasonably and practically available resources, including available imports, demand response and identified behind-the-meter generation resources selected to minimize an increase in emissions to the extent that such resources provide support to maintain grid reliability prior to calling on Specified Resources to potentially operate at levels in excess of environmental permits.
- OUC will provide such additional information regarding the environmental impacts of the order and its compliance with the conditions of the order, in each case as requested by the Department of Energy from time to time.

OUC requests this order because it is committed to public health and safety, takes its compliance obligations seriously, and understands the importance of the environmental permit requirements that are at issue. In this case, the risk of power outages in extremely cold temperatures is a more imminent and prominent threat to the communities in OUC's service area than the temporary exceedances of those permit limits that would be allowed under the order. Authorizing the generation resources to operate notwithstanding permit and other limitations may reduce the likelihood that OUC will need to curtail load.

This request is narrowly tailored to allow only the exceedances that are necessary to ensure reliability during the limited timeframe of this request. Limiting the requested allowance to situations described above will ensure that the operation of the generation resources in excess of environmental permit limits will be a last resort to maintain grid stability, thus minimizing any environmental impact to the greatest degree possible.

OUC greatly appreciates the Department of Energy's expedited consideration of this request and commits to respond to any requests for additional information on an expedited basis. Please do not hesitate to contact me if you have any questions or require additional information in order to act on this request.

Respectfully Submitted,



Clint Bullock

General Manager and CEO

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